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12 Attorneys for Defendants
THE SAFEWAY DEFENDANTS

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO)

16 MARIA KARLA TERRAZA, individually and
on behalf of the SAFEWAY 401(k) Plan,

Related Cases:

Plaintiff,

VS.

SAFEWAY INC., et al.,

Defendants.

**NOTICE OF SETTLEMENT AS TO THE
SAFEWAY DEFENDANTS;
STIPULATION AND [PROPOSED]
ORDER TO STAY TRIAL DEADLINES
AS TO THE SAFEWAY DEFENDANTS**

Judge: Hon. Jon S. Tigar
Trial Date: May 7, 2019

22 DENNIS M. LORENZ, on behalf of the Safeway
23 401(k) Plan.

Plaintiff,

25 |

SAFEWAY INC., et al.,

Defendants.

NOTICE OF SETTLEMENT AND STIPULATION TO STAY

2 Pursuant to Northern District Civil Local Rules 6-1, 6-2, 7-12, and 40-1, Plaintiffs Maria
3 Karla Terraza (“Terraza”) and Dennis M. Lorenz (“Lorenz”) (Terraza and Lorenz are collectively
4 referred to as “Plaintiffs”), and Defendants Safeway Inc., the Safeway Benefit Plans Committee,
5 Peter J. Bocian, David F. Bond, Michael J. Boylan, Robert B. Dimond, Laura A. Donald, Dennis J.
6 Dunne, Robert L. Edwards, Bradley S. Fox, Bernard L. Hardy, Russell M. Jackson, Peggy Jones,
7 Suz-Ann Kirby, Robert Larson, Melissa C. Plaisance, Paul Rowan, and Andrew J. Scoggin
8 (collectively, the “Safeway Defendants”) (Plaintiffs and the Safeway Defendants are collectively
9 referred to as the “Settling Parties”) file this Notice of Settlement as to the Safeway Defendants and
10 Stipulation to Stay All Trial Deadlines as to the Safeway Defendants¹ in the above-captioned
11 lawsuits for ninety (90) days as follows:

12 WHEREAS, the Settling Parties have reached an agreement in principle to settle the above-
13 captioned lawsuits;

14 WHEREAS, the Settling Parties will jointly stipulate for leave to allow Plaintiffs to amend
15 their operative complaints to assert class action allegations against the Safeway Defendants under
16 Federal Rule of Civil Procedure 23;

17 WHEREAS, Plaintiffs will move, and the Safeway Defendants will not oppose Plaintiffs'
18 motion to certify the class;

19 WHEREAS, Plaintiffs anticipate needing 90 days to file and have heard a motion for
20 preliminary approval of the class action settlement;

21 WHEREAS, trial in the above-captioned lawsuits is currently set for May 7, 2019;

22 WHEREAS, the Settling Parties have conferred and agreed, subject to the Court's approval,
23 to stay the current trial deadlines as to the Safeway Defendants for 90 days;

24 WHEREAS, staying the current trial deadlines would avoid unnecessary expenses and fees
25 while the Settling Parties finalize their settlement, Plaintiffs seek leave to amend their operative
26 complaints to assert class action allegations against the Safeway Defendants, and Plaintiffs prepare

²⁸ ¹ Defendant Aon Hewitt Investment Consulting Inc. remains an active defendant in the Terraza lawsuit and is not a party to the subject settlement in principle.

1 a motion for preliminary approval of the class action settlement;

2 NOW, THEREFORE, by and through the undersigned counsel, the Settling Parties stipulate
3 and agree, subject to the Court's approval, that all current trial deadlines should be stayed for 90
4 days as to the Safeway Defendants only.

5 IT IS SO STIPULATED.

6 DATED: April 23, 2019

7 TRUCKER ♦ HUSS, APC

8 By: /s/ R. Bradford Huss

9 R. Bradford Huss
Joseph C. Faucher
Angel L. Garrett
Dylan D. Rudolph
10 Attorneys for the
SAFEWAY DEFENDANTS

11 DATED: April 23, 2019

12 SHEPHERD FINKELMAN MILLER &
13 SHAH, LLP

14 By: /s/ James E. Miller

15 James E. Miller
Laurie Rubinow
16 Attorneys for Plaintiff
MARIA KARLA TERRAZA

17 DATED: April 23, 2019

18 SCHNEIDER WALLACE COTTRELL
19 KONECKY WOTKYNS, LLP

20 By: /s/ James A. Bloom

21 Todd M. Schneider
Jason H. Kim
James A. Bloom
22 Attorneys for Plaintiff
DENNIS M. LORENZ

23 I attest that my firm has obtained concurrence in the filing of this document from James E.
24 Miller and James A. Bloom.

25 DATED: April 23, 2019

26 TRUCKER ♦ HUSS, APC

27 By: /s/ R. Bradford Huss

28 R. Bradford Huss
Attorneys for the
SAFEWAY DEFENDANTS

[PROPOSED] ORDER

2 Pursuant to the Settling Parties' Notice of Settlement as to the Safeway Defendants and
3 Stipulation to Stay All Trial Deadlines as to the Safeway Defendants, and for good cause shown, the
4 Court will stay all trial deadlines as to the Safeway Defendants only for ninety (90) days.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 26, 2019


Hon. Jon S. Tigar
Judge of the United States District Court

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